

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ALEXSAM, INC.

Plaintiff,

VS.

FSV PAYMENT SYSTEMS, LTD.,
MBC DIRECT, LLC, NEXT ESTATE
COMMUNICATIONS, INC.,
SIMON PROPERTY GROUP, INC.,
TRANSCEND LLC, WILDCARD
SYSTEMS, INC., INTERACTIVE
COMMUNICATIONS INTERNATIONAL,
INC., ONE GLOBAL FINANCE, INC.,
GALILEO PROCESSING, INC.,
AMERICAN EXPRESS TRAVEL
RELATED SERVICES COMPANY, INC.,
and ITC FINANCIAL SERVICES, LLC

Defendants.

Case No. 2-03CV-337

JURY

WARD

UNOPPOSED

**AGREED MOTION FOR PLAINTIFF ALEXSAM, INC.
TO FILE ITS RESPONSE TO DEFENDANT GLOBETEL COMMUNICATIONS
CORP.'S MOTION FOR ATTORNEY FEES ONE DAY LATE**

Plaintiff Alexsam, Inc. (“Alexsam”) and Defendant GlobeTel Communications Corp. (“GlobeTel”) move the Court to allow Alexsam one additional day to respond to Defendant GlobeTel’s Motion for Attorney Fees. In support of this motion, Alexsam and GlobeTel state as follows:

1. GlobeTel filed their Motion for Attorney Fees on March 30, 2005.
2. The Court previously granted Agreed Motions to Extend Time for Plaintiff Alexsam, Inc. to Respond to Defendant Globetel Communications Corp.'s Motion for Attorneys Fees on April 21, 2005, April 27, 2005, May 5, 2005 and May 19, 2005.

3. The last deadline for Alexsam to respond to Globetel's motion for attorneys' fees was May 19, 2005.

Motion for Alessam to Respond to Motion for Attorney Fees One Day Late, 20 May 2005, page 1

4. The parties have been in significant settlement negotiations and are continuing settlement discussions.

5. The parties agree to extend the deadline for Plaintiff to respond to GlobeTel's Motion for Attorney Fees one additional day to May 20, 2005. Plaintiff's response is attached to this motion as Exhibit A.

Wherefore, premises considered, Alexsam and GlobeTel respectfully request that Alexsam's deadline to respond to GlobeTel's Motion for Attorney Fees be extended to May 20, 2005.

Respectfully submitted,

Dated: May 20, 2005

By: /s/ Randy J. McClanahan/by permission SCC
Randy J. McClanahan - Attorney In Charge
State Bar No. 13391500
randy@mcllp.com
MCCLANAHAN & CLEARMAN, L.L.P.
700 Louisiana, Suite 4100
Houston, Texas 77002
Telephone: (713) 223-2005
Facsimile: (713) 223-3664

Otis W. Carroll
State Bar No. 03895700
nancy@icklawn.com
IRELAND, CARROLL & KELLEY, P.C.
6101 S. Broadway, Suite 500
P.O. Box 7879
Tyler, Texas 75711
Telephone: (903) 561-1600
Facsimile: (903) 581-1071

Franklin Jones, Jr.
State Bar No. 00000055
maizieh@millerfirm.com
JONES AND JONES, INC., P.C.
201 West Houston Street
P.O. Drawer 1249
Marshall, Texas 75671-1249
Telephone: (903) 938-4395
Facsimile: (903) 938-3360

S. Calvin Capshaw
State Bar No. 03783900
ccapshaw@mailbmc.com
BROWN MCCARROLL, L.L.P.
1127 Judson Road, Suite 220
P.O. Box 3999
Longview, Texas 75601-5157
Telephone: (903) 236-9800
Facsimile: (903) 236-8787

John T. Polasek
State Bar. No. 16088590
tpolasek@pqelaw.com
C. Dale Quisenberry
State Bar No. 24005040
dquisenberry@pqelaw.com
Colin E. Errington
State Bar No. 00796517
cerrington@pqelaw.com
POLASEK, QUISENBERRY & ERRINGTON, L.L.P.
6750 West Loop South, Suite 920
Bellaire, Texas 77401
Telephone: (832) 778-6000
Facsimile: (832) 778-6010
Attorneys for Plaintiff

Respectfully submitted,

Dated: May 20, 2005

By: Alan M. Weisberg/by permission SCC
Alan M. Weisberg (Fla. Bar No. 0479349)
Admitted Pro Hac Vice
aweisberg@cwciip.com
Allen D. Brufsky (Fla. Bar No. 133980)
abrufsky@cwciip.com
Admitted Pro Hac Vice
Adam C. Underwood (Fla. Bar No. 0190926)
Admitted Pro Hac Vice
aunderwood@cwciip.com
CHRISTOPHER & WEISBERG, P.A.
200 East Las Olas Boulevard, Suite 2040
Fort Lauderdale, Florida 33301
(954) 828-1448 (Telephone)
(954) 828-9122 (Fax)
Attorneys for Defendant GlobeTel Communications Corp.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by, electronic mail, facsimile transmission and/or first class mail this 20th day of May, 2005.

/s/ Randy J. McClanahan by permission SCC
Randy J. McClanahan